United Nations S/2012/365

Security Council

Distr.: General
25 May 2012

Original: English

Report of the Secretary-General on the situation of children and armed conflict affected by the Lord's Resistance Army

Summary

The present report was prepared pursuant to the conclusions of the Security Council Working Group on the situation of Uganda (S/AC.51/2010/1), in which the Secretary-General is requested to prepare a comprehensive report on the situation of children and armed conflict affected by the Lord's Resistance Army (LRA), with special emphasis on cross-border issues. The report, which covers the period from July 2009 to February 2012, details incidents involving the commission of six grave violations against children by LRA in the Central African Republic, the Democratic Republic of the Congo and South Sudan. They include recruitment and use, killing and maiming, sexual violence, abductions, attacks on schools and hospitals as well as the denial of humanitarian access.

The Secretary-General indicates in his report that the commission of grave violations, in particular abductions, recruitment and use of children by the armed group, as well as sexual violence continue to be a systematic characteristic of the LRA modus operandi. He also outlines the measures taken by the United Nations and its child protection partners to establish a protective environment for children in the areas affected by LRA, including through the operationalization of a regional LRA focal point system, composed of United Nations child protection actors in the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda. The Secretary-General concludes with recommendations on the strengthening of measures to protect children against LRA, including through the African Union regional cooperation initiative on LRA.

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I. Introduction

1. The present report is submitted pursuant to the conclusions of the Security Council Working Group on the situation of Uganda (S/AC.51/2010/1), in which the Secretary-General is requested to prepare a comprehensive report on the situation of children and armed conflict affected by the Lord's Resistance Army (LRA), with special emphasis on cross-border issues. It also responds to the letter by the Chair of the Working Group, contained in the same conclusions, encouraging the country task forces on monitoring and reporting for the Central African Republic, the Democratic Republic of the Congo, the Sudan (and later, South Sudan) and Uganda to begin reporting in a more coordinated and comprehensive manner on LRA violations throughout the region.

2. The report provides information on the six grave violations against children perpetrated by LRA in the Central African Republic, the Democratic Republic of the Congo and South Sudan during the period from July 2009 to February 2012. The six grave violations are recruitment and use, killing and maiming, sexual violence, abductions, attacks on schools and hospitals, and denial of humanitarian access. It also contains information on military efforts to address the LRA threat and provides an update on actions taken by the United Nations and the Governments of the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda to ensure the protection of children affected by LRA, including through the separation of children from the armed group, family reunification and reintegration of abducted children. It concludes with observations and recommendations on actions needed to strengthen the protection of children from LRA.

3. It should be noted that the cases described in the present report represent only those incidents which were documented by the United Nations and may not reflect the actual scale of LRA violations, given the considerable security and logistical constraints in accessing LRA-affected areas. Cases of sexual violence are believed to be particularly underreported. Opportunistic "copy-cat" attacks by other armed elements in LRA-affected areas also make it difficult to attribute attacks specifically to LRA.

4. LRA has been listed in the annex of my annual reports on children and armed conflict as a party that commits grave violations against children since 2003. As such, the armed group is considered a persistent perpetrator of grave violations against children.

II. Political and military developments

5. With an estimated strength of fewer than 500 elements, LRA continues to affect a disproportionate number of civilians. While the exact number of children associated with LRA is unknown, it is believed to be significant, given the group's practice of forcibly recruiting children. It is believed that most adults in the LRA ranks were recruited as children. Some 440,000 persons are estimated to have been displaced by LRA, both internally and across borders, since 2008. LRA operates across a vast territory of 400,000 square kilometres covering the border between the Central African Republic, the Democratic Republic of the Congo and South Sudan, and encompassing Western Equatoria and Western Bahr el-Ghazal states in South Sudan; Haut-Uélé and Bas-Uélé districts in Orientale province in the Democratic

Republic of the Congo, and Mbomou, Haut-Mbomou and, more recently, Haute-Kotto and Vakaga prefectures in the Central African Republic. Sporadic but regular attacks against the civilian population in remote and inaccessible areas have led to the death, injury and abduction of children. Recent attacks appear to be aimed at ensuring the group's survival through the pillaging of food, medicine and arms.

6. In December 2008, following the refusal of the LRA leader, Joseph Kony, to sign a peace agreement with the Government of Uganda facilitated by the Government of South Sudan and my Special Envoy for the LRA-affected areas, President Joachim Chissano, Uganda and the Democratic Republic of the Congo launched a joint military operation against the armed group known as "Operation Lightning Thunder" in Orientale province, in north-east Democratic Republic of the Congo. While these military operations dislodged LRA from parts of north-eastern Democratic Republic of the Congo, later in December 2008, it conducted deadly attacks in Faradje, Doruma and other small villages in remote areas of Orientale province, during which some 400 civilians were killed, and over 20,000 were displaced.

7. Since the official end of "Operation Lightning Thunder" in March 2009, LRA has split into small, mobile groups that operate in the Central African Republic, the Democratic Republic of the Congo and South Sudan border areas. In December 2009 LRA committed a series of attacks, allegedly killing some 300 civilians, including children, in the area of Niangara-Bangadi, in Haut-Uélé district, north-east Democratic Republic of the Congo. Attacks in the tri-border area continued in 2010 and 2011, with irregular frequency and scale. While there appears to have been a lull in alleged LRA attacks during the second half of 2011, the frequency of attacks increased in the first quarter of 2012.

8. In March 2009, with the consent of the Governments concerned, and in collaboration with the security forces of those Governments, the Uganda People's Defence Force (UPDF) began military operations against LRA in the Central African Republic, the Democratic Republic of the Congo and South Sudan. UPDF troops withdrew from the Democratic Republic of the Congo in November 2011 at the request of the Government of that country and following the increased engagement of the Armed Forces of the Democratic Republic of the Congo (FARDC) against LRA. Some FARDC units in Orientale province have received military training from the United States of America to strengthen their operations against LRA. While military operations have contributed to reducing the strength and operational capacity of LRA, they have not succeeded in eliminating the LRA threat and fully protecting civilians.

9. In October 2010 the African Union held a regional ministerial meeting on LRA in Bangui as a follow-up to the African Union Plan of Action, adopted in Tripoli in August 2009. The Bangui meeting resolved to renew regional efforts to address LRA. At a second regional ministerial meeting on LRA, held in Addis Ababa in June 2011, the African Union defined the strategic end state of African Union operations against LRA as the "elimination of the LRA, leading to the creation of a secure and stable environment in the affected countries". Subsequently, in November 2011 the African Union Peace and Security Council authorized the creation of a regional cooperation initiative on LRA, including a joint coordination mechanism and a regional task force. The regional task force, which was officially launched in March 2012, would be comprised of 5,000 troops from the Central African Republic, the

Democratic Republic of the Congo, South Sudan and Uganda, and is headquartered in Yambio, South Sudan. It is envisaged that liaison officers from the militaries of the four affected countries would work together in a Joint Information Coordination Centre in Dungu, Orientale province, Democratic Republic of the Congo, supported by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). Command and control arrangements of the regional task force in the four countries were under discussion within the African Union at the time of writing. The task force is mandated to capture the LRA leaders, protect civilians who are vulnerable to LRA attacks and promote humanitarian assistance.

10. In October 2011, in the context of the United States LRA Disarmament and Northern Uganda Recovery Act of 2009, signed into law by President Barack Obama in May 2010, the Government of the United States announced the deployment of 100 combat-equipped military advisers to central Africa to provide assistance to regional forces involved in counter-LRA operations. Deployment of the military advisers began late in 2011.

11. On 11 July 2011, the first war crimes trial of the Ugandan High Court's new International Crimes Division began in Gulu, Uganda, with the case of Thomas Kwoyelo, an LRA commander. The Division was established in 2009 by the Government of Uganda as part of its efforts to implement the 2008 Juba peace agreements between the Government and LRA. Mr. Kwoyelo had been captured in the Democratic Republic of the Congo in 2009 and was charged with 53 counts of war crimes under the Geneva Conventions Act, with alternative charges for murder, kidnapping with intent to murder, attempted murder and robbery under the Penal Code.

12. On 22 September 2011, the Constitutional Court in Kampala ruled that Mr. Kwoyelo was entitled to amnesty, in line with Uganda's Amnesty Act of 2000, which provides a blanket amnesty for those who renounce and abandon involvement in war or armed rebellion against the Government of Uganda, including for war crimes and crimes against humanity. The trial of Thomas Kwoyelo ceased in November 2011 and the trial court instructed the State to proceed with the determination of his application for amnesty in accordance with the Amnesty Act. However, the Department of the Public Prosecutor has argued that amnesty is not applicable for crimes against humanity and Mr. Kwoyelo remains in detention in Kampala.

13. The weak presence of the State in the peripheral areas affected by LRA, in particular the weakness or absence of national security forces and the judiciary, provides space for LRA to operate and contributes to insecurity. Even where armed forces and police elements are present, lack of discipline and weak capacity of security forces have led to human rights violations, incidents of corruption and lack of security for civilians.

14. A consequence of the weakness or absence of State security forces and the judiciary has been the emergence of self-defence groups, established by local communities to protect themselves against LRA, notably in South Sudan (the "Arrow Boys", also known as "Home Guards", in Western Equatoria state) and in the Central African Republic ("local self-defence groups" in Mbomou and Haut-Mbomou prefectures). These non-statutory self-defence groups are, in some locations, supported by the central Government. In South Sudan, the Sudan People's

Liberation Army (SPLA), for example, is alleged to have equipped the "Arrow Boys"/"Home Guards" with weapons. In the Central African Republic, the United Nations has received credible reports of Government support to local defence groups in the form of munitions and basic foodstuff. The emergence of these groups is of concern, given the human rights abuses and, in the case of self-defence groups in the Central African Republic — reports of the use of children. In that country, self-defence groups have been responsible for cases of arbitrary arrest and illegal detention; in South Sudan, United Nations partners have received complaints from communities regarding "Arrow Boy"/"Home Guards" elements adjudicating on civilian cases and attempting to assume the role of the State and traditional authorities.

III. Grave violations against children

15. It appears that LRA began increasingly abducting children for a short period and using them primarily as porters or as accomplices in the looting and pillaging of food and medicine. In the Central African Republic, since the beginning of 2011, LRA appears to be employing a new approach, involving the abduction of Fulani — also known as Mbororos or Peuls — herder family members and demanding ransom in the form of food, clothes or tarpaulins.

A. Recruitment and use of children

16. During the reporting period, 591 cases of recruitment of children (268 girls and 323 boys) by LRA were documented in the Central African Republic, the Democratic Republic of the Congo and South Sudan. Of these, most cases were registered in the Democratic Republic of the Congo, followed by the Central African Republic and South Sudan. It should be noted that this may reflect the greater capacity and access of the country task force and partners in the Democratic Republic of the Congo, compared to the two other countries. No cases of voluntary recruitment were documented during the reporting period. Such, cases of recruitment and use also involved the abduction of children.

17. Children reported that they were used in various capacities, as cooks, porters, guards, spies or directly in hostilities as combatants or human shields. Girls who spent a substantial period of time associated with the group reported to have been subject to sexual slavery and exploitation, including by being forcibly "married" to combatants. Some children were forced to use violence, including to kill their friends or other children in the armed group. Numerous children abducted, especially boys, reported to have received so-called magical potions from LRA leaders, which they were told would increase their physical capacities and make it possible to trace and reabduct them if they escaped.

1. Democratic Republic of the Congo

18. Most cases of recruitment of children were documented in the Democratic Republic of the Congo, where the majority of reported LRA attacks took place and where a system of mobile teams to monitor, identify, report and provide response to children who had escaped from LRA in remote locations enabled better access to information. The country task force in the Democratic Republic of the Congo

registered a total of 403 abductions of children (202 girls and 201 boys) that reportedly had occurred during the reporting period. A total of 351 children were reportedly abducted in Haut-Uélé district and 45 in Bas-Uélé district; the remaining 7 children (2 girls and 5 boys, all Sudanese) were reportedly abducted in the south of the Sudan, brought to the Democratic Republic of the Congo during their captivity and later escaped in the Democratic Republic of the Congo. Ten children remain unaccounted for. Their abduction was documented through direct testimonies. The length of association of children with LRA varied from a few weeks or months to up to two years. A trend appeared in 2010, and was more apparent in 2011, of children being abducted for very short periods (one week or a few days) to carry loot before they managed to escape or were left behind. The majority of the children (193) remained associated with LRA for one to two weeks, 96 children for about one month, 35 children for six to nine months and 79 children for nine months and up to two years.

2. Central African Republic

19. During the reporting period, the abduction of 102 children (64 boys and 38 girls), resulting from LRA attacks, were documented. Most of the abductions took place in Mbomou and Haut-Mbomou prefectures, in the villages of Sangarigou, Angou and Simango, and in Gougbéré and Banangui, respectively. Most of the children were abducted while helping their parents in agricultural or pastoralist activities. In August 2011 the leaders of the Fulani pastoralist communities, in Haut-Mbomou prefecture, reported that families of herders were often held hostage by LRA and would be released only when "ransom" was paid. From July 2009 to December 2010, 70 children who escaped from LRA reported that they had been forced to participate in the attack of other villages and had been taught the languages of their captors. Nineteen girls interviewed in transit centres reported that they had been used as cooks and shared between commanders as sex slaves. The children reported to the United Nations that they had been used to carry looted goods and perform other support tasks, such as to shell stolen peanuts. They also confirmed the presence of other children within the ranks of LRA, but could not give exact figures, as the children were dispersed in small LRA groups.

3. South Sudan

20. During the reporting period, 86 children escaped or were released from LRA captivity, including 58 boys and 28 girls from 9 to 17 years of age. Most of these children were abducted in Tambura county, in Western Equatoria state. Twenty-five of the 86 children participated in LRA raids and abductions. For example, two Congolese boys that escaped from LRA in Western Equatoria state in November 2010 reported having participated in fighting and the abduction of women and children in South Sudan during four separate incidents.

B. Killing and maiming

21. The number of documented cases of killing and maiming of children is likely to be lower than the actual number of cases, as children who escape LRA often report that other abducted children had been killed by LRA while in captivity. In the Central African Republic, the Democratic Republic of the Congo and South Sudan,

45 cases of killing and 39 cases of maiming of children by LRA, mainly conducted during LRA attacks against civilians, were documented.

22. The context in which cases of killing and maiming occurred varied from country to country. Most cases in the Central African Republic and South Sudan took place during LRA attacks on civilian settlements or during clashes with other armed actors. There was a decline in the number of documented yearly cases of killing and maiming during the calendar years of 2009 to 2011, compared to 2008. A number of factors may explain this decline, including the multidimensional protection efforts of MONUSCO and the United Nations Mission in the Sudan/the United Nations Mission in South Sudan (UNMIS/UNMISS), massive displacement of civilians fleeing LRA threat from rural areas to larger towns, the presence of armed actors — local self-defence groups or security forces — deployed to protect civilians and the lack of comprehensive documentation of cases. It should also be noted that LRA escapees have reported the death of children while in captivity, owing to illness, malnutrition, or as a reprisal for attempting to escape or defying orders.

1. Democratic Republic of the Congo

23. Eleven children were reportedly killed (6 girls and 5 boys) and 17 children maimed (11 girls and 6 boys) during the reporting period, mainly in Haut-Uélé district. Only one case of maiming was documented in Bas-Uélé district, which is explained by the lower child protection presence combined with security and logistical challenges to access the area. Cases of killing and maiming were mostly isolated incidents spread out during the reporting period with the exception of the LRA attack on Bamangana village (Haut-Uélé) on 24 February 2011, during which three children were reportedly killed and five maimed. Prior to the reporting period, cases of killing and maiming were mainly reported during the Christmas-period massacre attacks of LRA in northern Democratic Republic of the Congo in December 2008 (26 killings and 4 maimings were documented).

2. Central African Republic

24. The Central African Republic saw an apparent decline in the number of children killed or maimed during the reporting period. From August 2010 to July 2011, 7 boys were killed during attacks on villages, compared to 145 children killed in 2008 and 63 in 2009. In addition, according to an unconfirmed report, only 1 girl among 12 released by LRA in August 2011 survived in the bush after a three-month trek in search of safety. The remaining 11 girls reportedly died of illnesses, hunger and starvation.

3. South Sudan

25. In South Sudan, 27 cases of killings (16 boys, 12 to 17 years of age, and 11 girls, 14 to 18 years of age), and 22 cases of maiming (13 boys, 13 to 18 years of age, and 9 girls, 14 to 17 years of age) were documented during the reporting period. These incidents occurred in the context of LRA attacks on civilians or during clashes between LRA and UPDF, SPLA or "Home Guards".

C. Rape and other sexual violence against children

26. A total of 113 cases of sexual violence by LRA elements against girls as well as 1 case against a boy were documented during the reporting period. Sixty-eight cases were recorded in the Democratic Republic of the Congo, 27 in South Sudan and 7 in the Central African Republic. Sexual violence appears to be a systematic characteristic of the armed group's modus operandi and involves repeated rapes, including in the context of sexual slavery, as well as sexual exploitation. Underreporting, owing to the fear of stigmatization by victims, impedes a clear understanding of the magnitude of sexual violence against children.

27. Stigmatization remains a major challenge for survivors of sexual violence perpetrated by LRA, especially for girls returning with babies; their families and communities often find it difficult to accept them. Families that take in such LRA victims are often accused by their community of supporting LRA and the girls or young women escaping LRA with babies are often seen as bringing bad luck. For example, in May 2011 three Congolese girls who had escaped from LRA in South Sudan and were reunited with their families in the Democratic Republic of the Congo later returned to South Sudan because they were ostracized by their community. As a result of such stigmatization, cases of sexual violence are very difficult and sensitive to document.

28. Almost all girls abducted by LRA for a lengthy period of time have been subjected to repeated sexual violence, including by being forcibly "married" to combatants and sexually exploited. Nevertheless, in one documented case a girl was repeatedly raped by three elements of LRA after being abducted. She managed to escape the following day.

1. Democratic Republic of the Congo

29. A total of 68 cases of sexual violence against children (67 girls and 1 boy) by elements of LRA were documented during the reporting period. For instance, a 17-year-old girl was reportedly abducted by LRA in May 2010 in Haut-Uélé district and sexually exploited for two months before managing to escape during a UPDF attack on an LRA position. It is worth noting that since the beginning of 2011, most children, including girls, were abducted for only a few days to carry loot, which may explain in part the low ratio of cases of sexual violence documented among the girls abducted during the period.

2. Central African Republic

30. All of the 19 girls of Central African, Congolese, Sudanese and Ugandan nationalities who escaped from LRA on the territory of the Central African Republic from July 2009 to December 2010 gave accounts of the sexual violence to which they had been subjected. One of the girls escaped while pregnant and later gave birth in a transit centre in Bangui; another girl escaped with her two-year-old baby. The girls all reported that they had been repeatedly raped and subjected to different forms of sexual assaults, and used by various commanders as "wives". In 2011 one case of a 16-year-old girl was documented. She escaped from LRA in January, after two years in captivity, during which time she had also given birth to a baby, who later died.

3. South Sudan

31. Twenty-seven cases of sexual violence, rape and abuse of girls perpetrated by elements of LRA were documented during the reporting period. From July 2009 to December 2010, 11 girls and young mothers from 12 to 17 years of age were raped and 5 of them returned with babies resulting from sexual violence. The girls indicated that they had been raped by more than five persons every month. During the period January-August 2011, a total of 16 girls, 12 to 17 years of age, who escaped from LRA, had all been raped and/or experienced sexual abuse.

D. Abductions

32. All cases of children known to have been recruited and used by LRA were abducted. During the reporting period, 536 cases of abduction were registered. In addition, some children were abducted for ransom. For example, in the Central African Republic there are at least 12 known cases of children abducted for ransom. Many of the victims of ransom were from Fulani pastoralist communities, which often graze cattle in remote areas and are exposed to LRA attacks. Three Fulani girls interviewed by the United Nations who had been abducted in June 2011 near the Mboko river in Haut-Mbomou prefecture had been kept for about 24 hours until their father paid the ransom demanded by their abductors.

1. Democratic Republic of the Congo

33. The Democratic Republic of the Congo saw the largest number of documented abductions (403) during the reporting period, followed by South Sudan (86) and the Central African Republic (43). In addition, in the Central African Republic, the United Nations received credible reports of an additional 59 children during the reporting period, which have not been verified. While LRA activity was mainly concentrated in the Democratic Republic of the Congo, the disparity in numbers between the three countries may not be proportionally representative, given, inter alia, the stronger capacity for monitoring and reporting in LRA-affected areas in the Democratic Republic of the Congo (in particular Haut-Uélé district).

2. Central African Republic

34. In the Central African Republic, most abductions took place in Haut-Mbomou and Mbomou prefectures, in particular around the towns of Zémio (Haut-Mbomou) and Rafaï (Mbomou). Of the 102 cases documented, at least 58 cases involved Fulani children who were abducted for ransom.

3. South Sudan

35. In South Sudan, the majority of children were abducted in Tambura county; most of the abductees were boys, suggesting that they were being abducted for military use by the armed group.

E. Attacks on schools and hospitals

36. During the reporting period, two attacks against schools and one attack against a primary health-care centre were documented in South Sudan; two attacks against

schools were documented in the Democratic Republic of the Congo and no attacks were documented in the Central African Republic. It should be noted that the total number of schools attacked is not illustrative of the negative impact on children's education. LRA activity commonly keeps thousands of school-aged children from attending school owing to parental fear of further LRA attacks. In view of the fact that internally displaced persons settle in the small towns, many schools are overcrowded, lack qualified personnel and often operate without adequate resources.

1. Democratic Republic of the Congo

37. Though it is possible that attacks occurring in remote areas were not documented, no attacks against schools and health centres in the Democratic Republic of the Congo were documented from January 2009 to December 2011. However, on 20 January 2012, two schools were attacked and 10 classrooms were burned by alleged LRA elements in Faradje, Haut-Uélé district. Attacks against schools and health centres were initially part of the group's tactics in the early days of its activity in the Democratic Republic of the Congo, in 2008, during which 34 attacks against schools and 2 attacks against health centres were documented. Many children abducted during the 2008 Christmas attacks were directly targeted in schools. According to organizations that implement protection programmes in the area of the 2008 attacks (Duru, Doruma), parents were apprehensive about sending their children to school for fear of further abductions/attacks by LRA and perceived the school to be a dangerous place. Some teachers had fled Duru and Doruma, which were lacking qualified teaching personnel. The students also reported that all books and school materials had been stolen or destroyed during the attacks. In 2011 the few local schools in Duru were still functioning at full capacity but stretched beyond their means owing to a massive influx of internally displaced persons into the town following LRA attacks in 2008 and 2009. The attack against the two schools in the Faradje area in January 2012 will most likely renew the fears of the population and have long-term negative consequences on education in the area.

2. Central African Republic

38. In the Central African Republic, LRA attacks have not directly targeted schools and hospitals. However, many schools in localities in the south-east have closed down either because parents are afraid to send their children, or because teachers have been displaced, fleeing LRA attacks. It is estimated that some 3,000 children have been unable to go to school because of LRA attacks on education. In towns hosting displaced populations, such as Obo, Rafaï and Zémio, makeshift schools have been built for the children in internally displaced person camps. The schools all present serious pedagogic problems, as they are overcrowded and lack learning materials and qualified teachers.

3. South Sudan

39. In Western Equatoria and Western Bahr el-Ghazal, local authorities estimate that some 7,000 children did not have access to education during the reporting period, largely as a result of LRA activity. In 2010 two senior Government officials from the Western Equatoria state Ministry of Education were killed by LRA while delivering education services to LRA-affected communities in Tambura county. In February 2011 one school was attacked by LRA in Tambura, where five children were abducted and medical supplies from a nearby primary health-centre facility were

looted. On 18 July 2011, LRA attacked Raga county in Western Bahr el-Ghazal state, where they reportedly broke into a primary school and looted educational material. The school was still closed at the time of reporting owing to fear and insecurity.

F. Denial of humanitarian access

40. Accessibility remained the main challenge for humanitarian actors in the remote areas of the Democratic Republic of the Congo (Haut-Uélé and Bas-Uélé districts), South Sudan (Ezo, Nzara, Yambio and Tambura in Western Equatoria state) and the south-eastern region of the Central African Republic. In addition to significant logistical and communication constraints, insecurity caused by the activity of LRA in the area further reduced the mobility of humanitarian actors. While LRA directly targeted humanitarian actors in a limited number of cases, insecurity caused by its presence and attacks on the population impeded or restricted the delivery of humanitarian assistance and the conduct of monitoring and evaluation missions.

1. Democratic Republic of the Congo

41. Since the beginning of 2011, the increased number of small-scale LRA attacks in the Haut-Uélé and Bas-Uélé districts has further restricted humanitarian movements and activities. In April 2011 humanitarian actors estimated that about 25 per cent of internally displaced persons in Haut-Uélé and 45 per cent in Bas-Uélé were beyond the reach of humanitarian partners on a regular basis. Several zones, such as Duru and Bitima (north of Dungu), the north of Nambia in the territory of Niangara as well as almost all the north-western part of Doruma and the north-eastern part of Bas-Uélé were not accessible to humanitarian actors during the reporting period for both security and logistical reasons. In 2011 the number of presumed LRA attacks peaked around June and July, followed by a lull in the second half of the year. In Bas-Uélé there were no attacks registered from August to December 2011, but new attacks occurred in January 2012, indicating that the area remained volatile. Small-scale LRA attacks in Haut-Uélé and Bas-Uélé since the beginning of 2011 further restricted humanitarian movements and activities. Humanitarian agencies strove to maintain a presence in Dungu, Faradje, Niangara, Doruma, Dingila and, since the end of 2010, in Ango. In at least two cases, humanitarian actors were directly targeted by LRA. In March 2011 a convoy carrying 240 tons of food was attacked and pillaged southwards of Banda in Bas-Uélé. In April 2011 the killings of a driver and his assistant working for a private contractor hired by an international non-governmental organization (NGO) were also attributed to LRA. This prompted NGOs to suspend their activities in the area, further limiting the lifesaving assistance provided to vulnerable populations. In April MONUSCO established bases in Buta and Ango, in Bas-Uélé, to better monitor, assess and react to armed group activity in the district and help facilitate humanitarian access.

2. Central African Republic

42. Insecurity created by LRA in the south-east Central African Republic constrained humanitarian access and the delivery of aid to LRA-affected areas, impacting an estimated 3,000 children. The security problem was heightened in September 2009 when the vehicle of an international NGO was attacked by LRA. LRA attacks have caused displacement of the population to bigger towns in the

south-east and, according to humanitarian partners, there are 8,800 internally displaced persons in Haute-Kotto, 6,272 in Mbomou and 11,595 in the Haut-Mbomou prefecture, displaced by the threat of LRA. Some NGOs chose not to carry out activities outside security areas defined by local authorities, because of the requirement for a military escort and associated concerns about perception of neutrality. On 6 June 2011, LRA attacked the vehicle and killed the Health Regional Director of Mbomou prefecture and his driver, as they travelled to Obo on the Zémio-Rafaï road in Haut-Mbomou for a vaccination campaign against poliomyelitis. The vehicle was looted and burned, as a result of which 11,605 children were deprived of vaccination and have still not been vaccinated at the time of writing.

3. South Sudan

43. As of April 2012, there were some 57,000 persons displaced and 10,000 Congolese refugees living in Western Equatoria state, as a result of the LRA threat. Some 13,000 internally displaced persons returned to their communities from November 2011 to February 2012. LRA has committed violent raids on villages and the looting of public health clinics and schools has also been registered. Displacement from remote areas to more populated locations for protection has in turn put more pressure on host communities. Poor road networks and insecurity in Tambura, Ezo, Yambio and Nzara areas near the Democratic Republic of the Congo and the Central African Republic borders have also limited access to many communities by humanitarian actors, impeding delivery of assistance. It is estimated that some 30,000 children have been affected by lack of access by humanitarian actors.

IV. Follow-up on recommendations of the Secretary-General and conclusions of the Security Council Working Group, protection response and advocacy and prevention activities

A. Follow-up on recommendations of the Secretary-General and conclusions of the Security Council Working Group

44. In October 2009, in line with Security Council resolution 1882 (2009), a regional meeting was organized by the United Nations Children's Fund (UNICEF) in Nairobi to promote enhanced United Nations coordination on addressing grave child rights violations committed by LRA in the Central African Republic, the Democratic Republic of the Congo, South Sudan and Uganda. As a result of the meeting, the operational plan for cross-border repatriation, care and reunification of children escaped or rescued from the Lord's Resistance Army in the Central African Republic, the Democratic Republic of the Congo, the Sudan and Uganda, and related guiding principles, was developed. The plan established the procedures by which children formerly associated with LRA would be handed over to child protection actors, given temporary care, rehabilitated, reintegrated and, where relevant, repatriated.

45. In response to the conclusions of the Security Council Working Group on Children and Armed Conflict in Uganda (S/AC.51/2010/1), in which the Working Group encouraged the United Nations to develop a regional monitoring and reporting strategy enabling it to report in a more coordinated and comprehensive manner on grave violations against children, a United Nations child protection focal

point system was set up. Uganda was designated as the secretariat for the system and, in that context, two regional workshops were held in January 2011 and February 2012, bringing together key child protection actors in the region. At the February 2012 workshop, the elements for an LRA child protection strategy were agreed and coordination modalities between focal points in the four countries were determined, including for the harmonization of monitoring and reporting activities. In addition, actions were identified to provide support to UPDF for improving the implementation, dissemination and operationalization of the standard operating procedures for reception and handover of children separated from LRA.

B. Protection response

1. Uganda

46. During the reporting period, 106 Ugandan children (47 girls and 59 boys) were separated from LRA and were received in reception centres in northern Uganda as part of the repatriation and reunification process for LRA-affected children, managed by NGO partners with United Nations support. All children were provided with interim care, counselling, family tracing and reunification assistance, as well as, in some cases, age-appropriate vocational training. The programmes also included culture-appropriate ceremonies to reduce stigmatization and increase the social acceptance of young mothers returning with children born in captivity. In September 2010 an 11-year-old Congolese girl and a 17-year-old Sudanese boy were erroneously transported to Uganda by UPDF.

47. The UPDF practice of collaborating with former LRA combatants to assist in tracking LRA in Obo, south-east Central African Republic, has raised concerns among the local population and child protection actors. This practice has heightened distrust among the local population regarding the intent of the UPDF operations; the local population interprets the use of former LRA combatants as a form of collusion between UPDF and LRA, rather than as a component of counter-LRA military operations. The use of former LRA combatants also undermines accountability for possible crimes committed by such individuals.

48. In May 2011 the UPDF Chief of Defence Forces signed the standard operating procedures for reception and handover of children separated from LRA. In accordance with the standard operating procedures, UPDF forces in the Democratic Republic of the Congo, the Central African Republic and South Sudan are to alert the United Nations on the presence of children formerly associated with LRA in UPDF custody within 48 hours and to hand over such children to UNICEF, or another designated United Nations or humanitarian agency within seven days of receiving them. The procedures set a precedent for national security forces in the Central African Republic, the Democratic Republic of the Congo and South Sudan, and are an example of the constructive partnership between UPDF and the United Nations. Training in the implementation of the standard operating procedures was provided by the UPDF Human Rights Directorate, with the support of UNICEF, to 450 UPDF troops deployed in the Democratic Republic of the Congo and 300 troops in the Central African Republic. To ensure the full implementation of the procedures, all troops participating in counter-LRA operations should undergo relevant comprehensive predeployment training, and UPDF is encouraged to enforce full compliance within its ranks, to ensure that all children, including Ugandan nationals,

are handed over to child protection actors within the time frame set out in the procedures.

2. Democratic Republic of the Congo

49. In light of the large number of child victims of LRA that have self-reintegrated in the Haut-Uélé and Bas-Uélé districts, a community-based approach to identify such children has been put in place by UNICEF partners operating in the area. An innovative approach established in 2010, it involves mobile teams composed of social workers and child protection officers, enabling the child protection programme to reach more children in remote areas on a regular basis. Since 2010, an average of 63 children per month in need of protection (both children who escaped LRA and unaccompanied children) have been identified. Since the inception of the programme for children associated with armed forces and groups in Haut-Uélé in December 2008, 2,019 children (914 girls and 1,105 boys) who were separated from LRA have been assisted, as of 31 December 2011. All children were provided with medical screening and care, psychosocial support, response to sexual violence and abuse, family tracing and temporary care; family/community reintegration assistance was provided when possible or appropriate, depending on security in the area and in accordance with the best interests of the child. A network of 205 trained and supported foster families in Haut-Uélé provide temporary care and protection for children. Eight shelter centres provide child protection services and activities for children; an average of 157 children (43 per cent of whom are girls) participate in these activities at each centre. Of 2,019 children assisted by UNICEF partners, 43 foreign children (36 Sudanese and 7 Ugandan children) were repatriated during the reporting period (1 child in 2008, 21 in 2009, 4 in 2010, 12 in 2011).

50. MONUSCO also has some 1,200 troops based in Haut-Uélé and Bas-Uélé with the aim of protecting civilians, including children, in the two districts. To this end, MONUSCO engaged in targeted operations involving the establishment of forward operating bases from which it conducted day and night patrols and carried out a range of additional protection activities, including market escorts and escorting farmers to their fields. In addition, military engineer units rehabilitate roads to open up key axes in support of the delivery of humanitarian assistance, including roads from Dungu to Faradje and from Dungu to Duru. Moreover, MONUSCO encourages LRA combatants to defect and enter the Mission's disarmament, demobilization, repatriation, resettlement and reintegration programme. This action includes producing leaflets in local languages distributed in the affected areas and providing support for radio broadcasts to encourage surrenders, including by children.

3. Central African Republic

51. From July 2009 to February 2012, 27 children (7 boys and 20 girls) of Congolese (18), South Sudanese (8) and Ugandan nationalities (1) were repatriated and reunified with their families. The children benefited from prior interim care in transit centres managed by UNICEF partners in Bangui, where they received medical attention, education and family tracing, which made repatriation and reunification possible. UNICEF, through its NGO partner, provided gender-based violence and psychosocial support programming for 1,300 vulnerable children affected by LRA in Rafaï. A total of 2,689 children (990 girls and 1,699 boys) in Rafaï and Bangassou received school kits during the reporting period. UNICEF began a partnership with an NGO on a similar project in Obo, Zémio and Mboki in the Haut-Mbomou

prefecture. The NGO partner provided psychological care and psychosocial assistance to 38 children (23 girls and 15 boys). Of the 38 children in the NGO programmes, 16 received individual psychological support in addition to other community-wide and collective assistance.

4. South Sudan

52. During the reporting period, 222 children and young persons (116 boys and 106 girls, from 9 to 17 years of age at the time of their abduction) were separated from LRA. Of those children, 123 (32 girls and 91 boys), comprising 32 Ugandans, 84 Congolese and 7 Central Africans, were reunified with their families or caregivers, while the remaining 89 were children of South Sudanese origins and were reunified with their families in Western, Eastern and Central Equatoria states. For example, of 10 children who were separated in February 2011, 5 girls and 2 boys from 12 to 16 years of age were found to be Congolese and were later repatriated to the Democratic Republic of the Congo. The remaining three South Sudanese children were successfully reunited with their families in South Sudan. In 2011 56 South Sudanese and Congolese children benefited from assistance in the child protection transit centre in Yambio. The reintegration of former abductees is challenged by stigmatization. Follow-up visits by the Ministry of Social Development and NGOs to children formerly associated with LRA indicate that some Congolese children returned to South Sudan even after they had been successfully reunited with their families in the Democratic Republic of the Congo. In May 2011 eight boys from 11 to 17 years of age, and three girls, 15, 17 and 18 years of age, returned to Ezo county, Western Equatoria state, where they were fostered with Congolese families in the refugee camp.

C. Advocacy and prevention activities

1. Uganda

53. In November 2009 a training session on "child rights and child protection in situations of armed conflict within the return and reintegration context and United Nations Security Council resolution 1612 (2005)" was organized by the UPDF Human Rights Department and the agency responsible for return and reintegration in northern Uganda. Sixty UPDF army officers were familiarized with the major legal instruments covering child rights and child protection, with the aim of clarifying their responsibilities and obligations towards children in accordance with those laws. The training also included Government directives prohibiting the recruitment of children and information on discipline and criminal procedures as well as procedures for the handling of children returning from LRA.

54. In 2012 UPDF requested the provision of continued United Nations support for the roll-out of the standard operating procedures.

2. Democratic Republic of the Congo

55. In November 2010 a training session for 64 FARDC officers based in Haut-Uélé and Bas-Uélé was organized by the Child Protection Working Group in Dungu. At the end of the session, the trained FARDC officers signed a "Commitment Act", thus committing themselves to contribute actively to the respect of human/child rights and the protection of children, and to cooperate with humanitarian actors. In

February 2011 training in the monitoring of child rights violations, in accordance with Security Council resolution 1612 (2005), was organized by child protection actors for partners of the Office of the United Nations High Commissioner for Human Rights (OHCHR) implementing the protection monitoring in Haut-Uélé and Bas-Uélé. In July 2011 another training session on the monitoring and reporting mechanism under the resolution was organized for members of the Education and Protection Clusters.

56. Child protection actors also conducted several advocacy démarches with FARDC and UPDF officials for the release of children escaping from LRA, to remind FARDC of their commitment not to use children to gather intelligence on LRA and to transfer the children to child protection actors. Moreover, in June 2011 an "advocacy forum" was established with FARDC, with the participation of the United Nations Joint Human Rights Office, OHCHR, the Office for the Coordination of Humanitarian Affairs and the MONUSCO Child Protection Section to discuss cases of human/child rights violations committed by FARDC, including against children who escaped from LRA.

57. Community-based prevention mechanisms were strengthened in eight localities in Haut-Uélé and Bas-Uélé. In each locality a community-based child protection committee was identified and provided with support. Fifty-two staff from nine local NGOs are being provided with support to identify child protection cases, furnish immediate referrals and strengthen the protective environment for children. Over 52,000 people have been reached through awareness-raising activities to improve child protection. In October 2010 a workshop that included 22 representatives of State institutions among the 47 participants, including school administrators, developed and signed a list of engagements for child protection in Dungu.

3. Central African Republic

58. In December 2010 UNICEF organized a training-of-trainers session for 25 officers of the forces of defence and security (Central African Armed Forces (FACA) and police) on the rights and protection of children before, during and after armed conflict.

59. On 2 August 2011, UNICEF organized a training session in Zémio for members of civil society, local representatives of the Government, religious leaders and security forces (FACA and gendarmerie) on the six grave violations of children's rights in situations of armed conflicts and on the monitoring and reporting mechanism. Emphasis was placed on the principle of confidentiality.

60. On 25 August 2011, the UNICEF monitoring and reporting mechanism team organized a training session on the six grave violations of children's rights in situations of armed conflicts and on the code of conduct for the military, at the UPDF base in Obo. The session was attended by 40 UPDF soldiers, the Secretary-General of the mayor's office and a national NGO official representing civil society.

4. South Sudan

61. On 29 June 2011, UNICEF supported the training of 21 child protection partners on the monitoring and reporting mechanism in Yambio. The training has strengthened the monitoring of violations in LRA-affected areas. In addition, the South Sudan United Nations focal points on LRA facilitated a meeting between

different child protection stakeholders and UPDF in Western Equatoria state on the standard operating procedures. In August 2011 members of the Child Protection Working Group in that state held a meeting with the UPDF high command in Nzara, at which they reviewed and revised the South Sudan operational plan agreed upon at the October 2009 Nairobi meeting, and agreed on a process for information-sharing and common procedures with UPDF for the repatriation and/or handover of children associated with LRA.

62. The Government of South Sudan, under the leadership of the South Sudan Disarmament, Demobilization and Reintegration Commission, with the support of the United Nations and in collaboration with the Ministry of Defence and other line ministries, has developed a new disarmament, demobilization and reintegration policy and strategy for six years (2012-2017). The policy document, officially launched in August 2011, incorporates provisions for specific support to former fighters, including children on foreign soil, such as the LRA abductees. This is a positive development, since the previous Government disarmament, demobilization and reintegration framework excluded provision of support for the release and reintegration of former LRA combatants entirely.

V. Observations and recommendations

63. I am deeply concerned by the persistent perpetration of grave violations against children by LRA, nine years after the party was listed in my annual report on children and armed conflict. LRA continues to pose a significant threat not only to children, but also to the civilian population at large and has forced 45,000 persons in the region to leave their homes. While the number of children killed or maimed by LRA in 2010-2011 appears to have decreased compared to previous years, the ongoing abduction and forced recruitment of children, as well as the systematic rape and sexual exploitation of captive girls, is egregious and unacceptable.

64. All efforts must be made to bring an end to these violations. In this regard, I am encouraged by the renewed international attention paid to the question of LRA and the development of a multidimensional and coordinated approach to addressing the threat posed by the armed group, manifested, inter alia, through the establishment of the African Union regional cooperation initiative as well as the development of a joint United Nations-African Union regional strategy requested by the Security Council in its presidential statement of 14 November 2011 (S/PRST/2011/21).

65. In developing and implementing the regional strategy to address the threat and impact of LRA, I encourage civilian and military actors to take into account a number of considerations. Firstly, all military efforts to address LRA, including those of regional security forces and the African Union Regional Task Force, must place the protection of civilians and compliance with international humanitarian, human rights and refugee law, front and centre. To the extent possible, the association of children with LRA in non-combat roles should be factored into the concept of operations and rules of engagement of military actors to ensure compliance with the principle of distinction.

66. Secondly, the progress made by UPDF in establishing standard operating procedures for the reception and handover of LRA children to civilian child protection actors should be built upon and strengthened. In this regard, I encourage

FACA, FARDC and SPLA, in their national capacity as well as under the African Union Regional Task Force, to adopt and implement similar handover procedures in their operations. UPDF is also encouraged to ensure full implementation of the existing standard operating procedures, including provisions related to the UPDF debriefing of children separated from LRA. To this end, United Nations child protection actors stand ready to provide comprehensive predeployment training on child protection to all military units that would be engaged in counter-LRA operations. The African Union Regional Task Force is encouraged to recruit and deploy a child protection adviser to Yambio to ensure adequate mainstreaming of child protection issues in the Task Force.

67. Thirdly, more must be done to combat impunity for LRA perpetrators of grave violations against children. While the amnesty law in Uganda has contributed to the separation of thousands of children forcefully recruited by LRA, I echo the concerns of the Committee on the Rights of the Child, in its concluding observations on Uganda (CRC/C/OPAC/UGA/CO/1), that the criteria for granting amnesties are not in compliance with the international legal obligations of the State party (Uganda), notably the Rome statute of the International Criminal Court. I urge Uganda, as well as other States in the region, to ensure that their penal codes are in line with international legal obligations with regard to accountability for grave violations against children, notably the Rome statute of the International Criminal Court.

68. In the context of regional activities aimed at encouraging defections from LRA, a balance must be struck between, on the one hand, providing incentives to children and adults to leave the armed group, and, on the other, ensuring that justice is served. In this regard, I discourage the adoption of explicit amnesty laws at the expense of accountability for war crimes and crimes against humanity.

69. Fourthly, the regional strategy to address the LRA threat cannot succeed without adequate resources. Donors are encouraged to provide support to services aimed at supporting the long-term reintegration of children separated from LRA, in line with the Paris Principles. While activities in this respect are ongoing, more can be done to identify children at the community level who managed to escape from LRA and to ensure that they are provided with appropriate support. Service providers have highlighted the particular need for reintegration support that targets community acceptance of children formerly associated with LRA, who are frequently stigmatized. Donor support would also be required to provide fuller geographical coverage of reintegration assistance throughout the LRA-affected region, in particular in south-east Central African Republic, and the Bas-Uélé district in north-east Democratic Republic of the Congo.

70. I am also concerned by the ripple effects of LRA activities. Two effects are worth noting. The weak presence of State security forces in the border region has contributed to the creation of self-defence groups in the Central African Republic and South Sudan. These unregulated armed groups have reportedly been responsible for exactions against the community and, in the case of the Central African Republic, are alleged to have children in their ranks. Separately, the Mbororo pastoralist ethnic group (also known as Fulani, or Peul), which is present in the LRA area of operations, has become vulnerable not only to LRA attacks — as manifested by the cases of abduction described in the present report — but also to stigmatization by other ethnic groups in the region, who presume their association with LRA as a result of their nomadic way of life. I urge concerned States to expand the rule of law

to LRA-affected areas and encourage donors to provide support for such efforts, including through long-term peacebulding activities.

71. I encourage the Security Council, through its Working Group on Children and Armed Conflict, to remain seized of the impact of the Lord's Resistance Army on children and, in this regard, I recommend that the Working Group continue to receive reports on the situation of children affected by LRA, until such a time that LRA ceases to pose a threat.

72. Lastly, I would like to express my particular appreciation for the child protection officers of UNICEF and the United Nations missions in the region, whose efforts, in terms of advocacy, monitoring, reporting and response, have meant that children associated with, and separated from, LRA have been provided with sustained support and assistance.